

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

FILED
07 OCT 29 AM 10:107 MJ 2522

UNITED STATES OF AMERICA,

Plaintiff,

v.

Pedro RUELAS-Lopez,

Defendant

Magistrate Docket No.
SOUTHERN DISTRICT OF CALIFORNIA


COMPLAINT FOR VIOLATION OF:

Title 8, U.S.C., Section 1326
Deported Alien Found in the
United States

The undersigned complainant, being duly sworn, states:

On or about **October 23, 2007** within the Southern District of California, defendant, **Pedro RUELAS-Lopez**, an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.


SIGNATURE OF COMPLAINANT
James Trombley
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS ~~25th~~ ^{29th} DAY OF OCTOBER,
2007


Barbara L. Major
UNITED STATES MAGISTRATE JUDGE

CONTINUATION OF COMPLAINT:**Pedro RUELAS-Lopez****PROBABLE CAUSE STATEMENT**

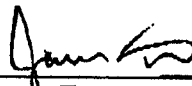
I declare under the penalty of perjury that the following statement is true and correct:

On October 23, 2007, at approximately 4:40, PM, Border Patrol Agent J. Lara was working line watch duties in an area known as Whiskey 10. This area is approximately two miles west of the San Ysidro, California Port of Entry and 100 yards north of the U.S./Mexico International Boundary Fence. Border Patrol Dispatch notified agents of a seismic intrusion device activation. Agent Lara responded to the area and found an individual attempting to conceal himself in some dense brush. Agent Lara identified himself as a U.S. Border Patrol Agent and questioned the individual as to his citizenship and nationality. The individual, later identified as the defendant **Pedro RUELAS-Lopez**, admitted to being a citizen and national of Mexico, illegally present in the United States without any immigration documents that would allow him to enter or remain legally. The defendant was arrested and transported to the Imperial Beach Station for processing.

Routine record checks of the defendant revealed a criminal and immigration history. The defendant's record was determined by a comparison of his criminal record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to Mexico on March 29, 2007 through Calexico, California. These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.

The defendant was read his Miranda rights, which he acknowledged and was willing to make a statement without an attorney present. The defendant stated that he was a citizen and national of Mexico without valid immigration documents to enter or remain within the United States legally. The defendant stated that he jumped the fence to go to San Diego to find work.

Executed on October 24, 2007 at 8:40 a.m.


James Trombley
Senior Patrol Agent

On the basis of the facts presented in the probable cause statement consisting of 1 page(s), I find probable cause to believe that the defendant named in this probable cause statement committed the offense on October 23, 2007, in violation of Title 8, United States Code, Section 1326.


Barbara L. Major
United States Magistrate Judge

10/24/07 at 9:01 am
Date/Time